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Governor, during Wilmington visit, says state to deny Chemours' ability to dump GenX and to seek more money for DEQ

By Tim Buckland StarNews Staff

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WILMINGTON -- The N.C. Department of Environmental Quality will deny Chemours' permission to discharge any GenX into the Cape Fear River while state officials ask the N.C. General Assembly to restore some of the funding and staffing cuts previously made to state environmental programs, Gov. Roy Cooper said Monday morning.

Those were some of the steps the governor announced Monday during a visit to Wilmington to meet with local officials - his first appearance in the region since the chemical's presence in area public drinking supplies was reported in early June.

"I want to make it clear today that the Department of Environmental Quality is going to deny Chemours' request and to deny their permit to release GenX into the river," Cooper said.

The governor's visit came 47 days after the StarNews reported that Chemours, a spin-off of chemical giant DuPont, had been discharging the unregulated chemical compound GenX into the Cape Fear River. The Cape Fear Public Utility Authority (CFPUA) cannot filter the chemical, which has been detected in drinking water in Southeastern North Carolina.

"I have directed my administration to perform their work as if they and their families are drinking the water and that's certainly how I approach it," Cooper said.

The company has since said it has voluntarily stopped discharging GenX into the river. State officials had issued an advisory July 14 saying concentrations of GenX should be below 140 parts per trillion (ppt), which amounts to drops in an Olympic-sized swimming pool.

Testing since then had shown the chemical's presence being below that standard until samples taken last week by CFPUA spiked to 336 ppt in raw water on July 16 and 286 ppt in treated water on July 17.

The denial of Chemours' permit to discharge the chemical was one of several steps Cooper said his administration has taken or will be taking in response to GenX, including asking legislators to fund what DEQ Secretary Michael Regan said was nearly \$3 million to restore previous cuts, hire additional scientists and perform additional testing of the water.

The DEQ has been the target of repeated funding and staffing cuts since 2011, resulting in a growing backlog in permitting and enforcement.

The actions announced Monday came three days after N.C. Attorney General Josh Stein said his office has sent Chemours an investigative demand into whether Chemours used deceptive trade practices while marketing GenX.

The governor said he has also asked the N.C. State Bureau of Investigation to determine if a criminal investigation is warranted and asked the federal Centers for Disease Control and Prevention (CDC) to conduct a public health assessment on the long-term effects of GenX and other compounds.

"Sometimes it's easy to take safe water for granted," Cooper said. "I can assure you I do not."

Local leaders encouraged

Steps announced by Gov. Cooper Monday:

- Denying Chemours request to renew its discharge permit to allow any discharging of GenX into the Cape Fear.
- Directing the State Bureau of Investigation (SBI) to assess whether a criminal investigation is warranted.
- Working with the federal Centers for Disease Control and Prevention (CDC) on a public health assessment over GenX.
- Asking the U.S. Environmental Protection Agency (EPA) to move "swiftly" to set regulatory standards on GenX and requesting the agency review the consent order allowing Chemours to discharge GenX as a byproduct.
- Enhancing disclosure from companies seeking discharge permits so state regulators know what's in the wastewater before it is released.
- Expanding the scope of North Carolina's science advisory board to work on unregulated compounds to see if they represents threats to the public and the environment.
- Request a special appropriation from the General Assembly when it reconvenes in August to allow the N.C. Department of Environmental Quality (DEQ) to hire more water inspectors, scientists and regulators.

Members of the region's delegation to Raleigh -- many of whom attended Monday's meeting -- said they planned to support Cooper's initiatives, but wanted to see details.

"I asked Governor Cooper to get me a list and estimated cost of what is needed as far as additional personnel to address the water quality issue in our state," said N.C. Rep. Ted Davis, R-New Hanover. Davis said he would bring those requests to House Speaker Tim Moore and other House leaders to "support the necessary emergency legislative appropriation to get the state what it needs to protect our citizens with safe drinking water."

"I told the governor I would support a plan to increase positions to make sure our water is safe," said N.C. Sen. Michael Lee, R-New Hanover.

N.C. Rep. Holly Grange, R-New Hanover, said she wants to make sure that the requests from DEQ and other state agencies would be effective.

"I think it's realistic," she said. "But I think he needs to realize we're not going to just throw money at the problem.

"We don't need to overreact."

New Hanover County Chairman Woody White, speaking after the meeting with local officials, said he was satisfied with the governor's response -- particularly in the news that Chemours' permit to discharge GenX would be denied.

"I started the applause," he said. "I think there's a lot of work left to be done, but I'm encouraged by what I heard today and the bipartisan unity toward these common goals that we have."

Other contaminant worries

During Monday morning's press conference, Cooper and his staff said repeatedly that GenX is not their only concern, given that other emerging chemical compounds also are in the water.

Mandy Cohen, N.C. secretary of the Department of Health and Human Services, said residents should be "comfortable with drinking the water," though she said agencies and researchers would continue to compile more data.

"While I was mentioning that we have very little science on GenX, though we're acting based on what we have, we have even less scientific evidence on some of these other compounds," she said.

The event drew a modest amount of people carrying signs, most thanking the governor for coming to Wilmington. It was a stark difference from last month's meeting involving officials from Chemours, which attracted dozens of protesters.

Lynn Shoemaker, a member of Women Organizing for Wilmington, held a sign thanking Cooper for coming Monday.

"Super Cooper to the Rescue," it said.

Shoemaker was joined by ten other protesters camped outside the meeting. Shoemaker said she was disappointed CFPWA hasn't alerted its customers about the contamination.

"I can't think of anything more important than drinking water," Shoemaker said.

Reporter Kevin Maurer contributed to this report.

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